

# EXHIBIT B



**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

TEACHERS INSURANCE AND ANNUITY  
ASSOCIATION OF AMERICA,

Plaintiff,

-against-

MELANIE SIMONS,

Defendant.

**DECLARATION OF MITCHELL  
FALTER**

Case No. 1:21-cv-03712

I, Mitchell Falter, hereby declare that:

1. I was employed by Teachers Insurance and Annuity Association of America ("TIAA") from April 30, 2007 through February 26, 2021 as a Wealth Management Advisor located in the Fairfax, VA office.
2. During my employment, I was not contacted or solicited by Melanie Simons or any person acting in concert with her or on her behalf, to resign from or otherwise separate from my employment with TIAA.
3. In a conversation on November 9, 2020, I shared with Melanie Simons the opportunity to partner with Jessica Doll, Thomas Massie, and myself in the design of a new financial planning business to be founded in the future, after I resigned from TIAA.
4. I resigned from TIAA the day after receiving my bonus in February 2021, as did numerous other TIAA employees.
5. The decision to resign from TIAA in February 2021 was mine, and mine alone. Ms. Simons did not encourage, persuade, or otherwise influence my decision in any way to resign from TIAA.
6. I would have resigned from TIAA in February 2021 even if I had had no discussions with Melanie Simons after she separated from TIAA in November 2020.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed: May 4, 2021



Mitchell Falter